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02-26-04

Attorney's Docket No.: 17084-018003
(formerly 24601-416C)

1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gary De Jong *et al.* Art Unit : 1636
Serial No. : 10/086,745 Examiner : Lamberston, David A.
Filed : February 28, 2002 Conf. No. : 8781
Cust. No. : 20985
Title : METHODS FOR DELIVERING NUCLEIC ACID MOLECULES INTO
CELLS AND ASSESSMENT THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith are a Supplemental Information Disclosure Statement (2 pages), Form PTO-1449 (1 page) and a Statement pursuant to 37 C.F.R. § 1.97 (e) (1 page) for filing in connection with the above-captioned application.

- [X] The Commissioner is hereby authorized to charge any fee that may be due under 37 C.F.R. §§ 1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

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I hereby certify that this paper and the attached papers are being deposited with the United States Postal Services as "Express Mail" Label No. EV 471528437-US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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**STATEMENT FOR SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT IN ACCORDANCE WITH 37 C.F.R. §1.97(e)**

- 1) This Statement if being made for the Supplemental Information Disclosure Statement accompanying this Statement.
- 2) I, Stephanie Seidman, certify that each item of information contained in the accompanying Supplemental Information Disclosure Statement was cited in a communication dated January 23, 2004, from the Australian Patent Office in connection with Australian Patent Application No. 2002306877. Thus, each item of information was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the attached Supplemental Information Disclosure Statement.
- 3) The person making this Statement is an attorney of record in the above-captioned application and signs below on the basis of information in the attorney's file.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. §1.97(c) and includes a certification in accordance with 37 C.F.R. §1.97(e). The certification applies to all references listed on Form PTO-1449 (1 page), provided herewith. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account no. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98. Form PTO-1449 (1 page) is provided herewith in connection with the above-captioned application. The cited documents listed on Form PTO-1449 and marked with an asterisk are not provided herewith as they have been previously provided or cited by the Examiner in connection with U.S. Serial No. 09/815,981, which is relied upon for an earlier filing date in accordance with 35 U.S.C. §120.

The cited documents, listed on Form PTO-1449, are in the English language. Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. applications which are commonly owned and/or have one or more inventors in common:

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Services as "Express Mail" Label No. EV 471528437 US in an envelope addressed to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

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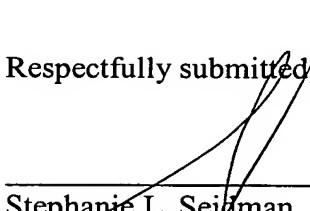
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<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Docket No.</u>
10/782,129	02/18/04	24601-402O
10/808,689	03/25/04	24601-402P

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. § 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

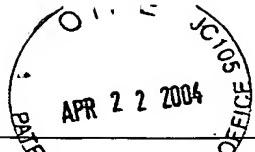
Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,


Stephanie L. Seidman
Reg. No. 33,779

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Substitute Form PTO-1449 U.S. Department of Commerce
(Modified) Patent and Trademark Office

**List of Patents and Publications for Applicant's
Information Disclosure Statement**

(37 CFR §1.98(b))

F&R No.
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Application No.
10/086,745

Applicant
Gary De Jong, et al.

Filing Date
February 28, 2002

Group Art Unit
1636

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
		NONE					

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes No
		NONE					

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	*AA	Ohse, et al., "A New and Efficient Method for Gene Transfer into Mouse FM3A Cells Using Metaphase Chromosomes by Electroporation," <i>Biosci. Biotech. Biochem.</i> , 60 (11):1879-1811 (1996)
	*BB	Wada, et al., "HPRT Yeast Artificial Chromosome Transfer into Human Cells By Four Methods and an Involvement of Homologous Recombination," <i>BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS</i> , 200 (3):1693-1700 (1994)

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Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	